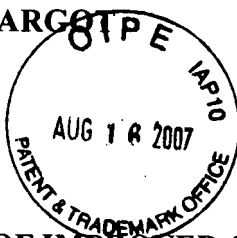


INSERTED MATERIAL FROM RESPONSE FILED ON 09/14/06 FOLLOWS

Examiner: **MATHIEU D. VARGAS**

Serial Number: **10/735,451**

5 Filed: 12/12/03



:Group 1732

:Phone (571) 272 1211

:FAX (703)

:Date 08/16/07

Re: Application For:

FABRICATION OF IMPROVED CONTACT LENS UTILIZING

10

POLYMER ELECTROSPINNING

SUPPLEMENT TO FIRST AMENDMENT AND REPLY MAILED 09/18/06

Mail Stop: NON-FEE AMENDMENT

Hon. Commissioner of Patents and Trademarks

15 **PO BOX 1450**

ALEXANDRIA, VA 22313-1450

Title: Fabrication of improved contact lens using polymer electrospinning

20 In response to the Office Action of 5/15/06 and the Examiner's Communication of 04/17/07, Applicant respectfully submits the following:

Our patent application claims have been cited as conflicting conflict with the following prior art:

25 Simpson, et al., US-2002/0090725 and Burgess et al., US-6,559,119

In regards to our (Fuerst et al) application, we would respectfully take issue with these two citations. Simpson et al describes an incorporeal use of electrospun fibers. Our patent articulates an "extracorporeal" use of electrospun fibers. Simpson et al does not
30 describe an ex-vivo use in contact with an aqueous solution and the skin, as may describe a topical ophthalmic use such as a contact lens, so they imply any extra-corporeal use as being covered by their disclosure. If that were the case, then electrospun garments for example, which are ex-vivo and in contact with the body would be similarly restricted by their pending IP. In fact, electrospun materials of all
35 types have been in use in the public domain for much of the 20th century, fabricated